

Gila County Planning and Zoning Commission
August 21, 2008/Approved September 18, 2008
Gila County Courthouse
1400 East Ash Street, Globe, AZ.

1. Call to order/Pledge of Allegiance

Planning and Zoning Commission meeting was called to order by Chairman, Don Ascoli at 10:10 am.

2. Roll Call

Commission Present:	Chairman:	Don Ascoli
	Vice Chairman:	Lori Brown
	Members:	Jack Larimore
		Mickie Nye
		Renee Zeising
		Ron Christensen
		Rose Harper
		Jay Spehar
		Travis Williams

3. Review and Approval of Minutes

No corrections or additions to the minutes, motion was made by Commissioner Renee Zeising to approve and it was seconded by Commissioner Ron Christensen; motion passed unanimously.

4. Director/Commission Communications

Bob Gould, Director of Community Development stated that terms for the Planning and Zoning Commission are up for Ron Christensen and Don Ascoli. Both stated that they are willing to continue to serve. They will be placed on the Board of Supervisors agenda for approval.

5. CUP-08-05 Applicant: John Calkins for Edward Esparza: Request to construct an eight (8) foot by 16 (16) foot outdoor advertising sign, supported by 2 columns at 22 feet above finish grade on Gila County Tax Assessor's Parcel 205-10-006H. Double-faced, off-site (billboard) sign would be located on a vacant, C3 zoned, commercial property of 1.37 acres. Property is located on the northeast side of Highway 188 near Globe, AZ.

Bob Gould, Director of Community Development introduced this item to the Commission. He stated that the applicant had their public participation meeting and there were no complaints at that time. Since then there have been some queries but nothing came out of the citizen participation meeting. This is an undeveloped lot with a retaining wall in front of it and the sign will be placed behind the retaining wall.

Staff recommends approval that the illuminated, off-site sign use will be allowed on tax parcel 205-01-006H, if the following conditions can be met:

1. The double-faced, off-site sign shall be located in conformance with the site plan that was submitted and shall meet the 10' setback from the rights of way and the 3' separation from the block wall. The maximum height of the sign shall be 22 feet and the maximum panel area shall be 128 square feet
2. The illumination (lighting) shall be controlled by an automatic switch timed to turn off no later than 11:00 P.M.

3. Arizona Department of Transportation (ADOT) review and approval shall be required prior to the issuance of any Gila County sign or building permit.
4. An approved building permit is required to assure compliance with the building code, the zoning code and the outdoor lighting control requirements.
5. Failure to comply with any of the above conditions shall be grounds for the Director to bring this application to the Board of Supervisors for review and possible revocation.

There was discussion between the Commission, the Director and Staff Member Rudy Frost regarding distance between billboards, ADOT, distance between the billboard and neighbor and distance between residence and billboard.

Consultant Rudy Frost stated that any sign could be a distraction to a driver and ADOT reviews signs for distraction situation but couldn't see how this one would distract a driver.

Ray Jones, representative for John Caulkins-Outdoor Advertising stated that there is not a residence within 150 ft. He continued by stating that the billboard will be a leased sign. At this time a picture of a mock sign was viewed by the Commission.

Commissioner Jay Spehar stated that there are easements that go through the property, underground pipelines, etc., and asked if the applicant was sure that he was not placing the billboard on the easement. Mr. Ray Jones stated that there were not any easements within or on where the site is selected.

Neighbor, Melvin Warbington resides behind the property and stated that he gave Mr. Esparza an easement so he could have two driveways for that parking lot. He also stated that that is a scenic highway and that the City of Globe at one time wanted to place their sewer pond adjacent to the Bixby property but was stopped because it was a scenic highway. He stated that the road to his property goes up over where the parking lot is and doesn't want to view that sign.

Terry Warbington, Melvin Warbington's wife, stated the road to their property goes up and over the parking lot and also stated that she did not want to view the sign. She stated that they'd given Mr. Esparza the easement and stated that if they'd of known that he were going to be placing trailers, Cat's and billboard's on the property they'd of never given him the easement.

After inaudible discussion, Director Bob Gould addressed the Commission and stated that C3 zoning allows outside storage.

Commissioner Mickie Nye asked whether this in fact is a scenic route. Director, Robert Gould stated that if there are questions that still need to be answered then this item should be tabled so that staff can conduct further research.

Commissioner Jay Spehar stated that there are items that need to be clarified including: exact status of scenic highway, site plat with easements crossing the parking lot (there are roadway easements, pipelines and overhead line easements), adjacent zoning (especially to the east).

Mr. Gould clarified the additional information requested:

- Copy of when rezoned to C-3 and stipulations
- Clarify if scenic highway and State Policy of signage of scenic highway
- Site plan that shows easements that traverse that property
- Zoning of surrounding property

Commissioner Jay Spehar motioned to table this item to September 18, 2008, Commissioner Mickie Nye seconded the motion; and the motion was tabled to September 18, 2008.

6. Clean and Lien Ordinance: A new ordinance to require an owner, lessee or occupant of real property within the unincorporated area of Gila County to remove rubbish, trash, weeds, filth, debris or dilapidated buildings constituting a public nuisance; prescribing the procedure for notice and appeal; providing for the removal thereof by the county and the assessment of the cost thereof as a lien against the property in the event of non-compliance; and prescribing a penalty of the placement of such materials on the property of another.

Director of Community Development, Robert Gould introduced this item to the Commission and stated that the Clean and Lien and the Rules of Procedure links up the two documents. The Rules of Procedure were changed to a 15 day appeal period. The Clean or Lien purpose is to provide an additional step to help us gain compliance with significant nuisances. There's three tools for the county to work with, Notice of Abatement, Notice of Assessment and the Report of Assessment. The Report of Assessment gives the authority to record a lien to the property due to it not being cleaned up. It is not a staff driven process and the only one who can order the Abatement is the Hearing Officer. The property owner or the user of the property has the right to appeal it to the Board of Supervisors and the same with the Order of Assessment. The Report of Assessment cannot be recorded until the Board of Supervisors approves it.

Director, Bob Gould stated that this will allow the county to deal not only with the owner of the property but with the user of the property.

Vice-Chairperson Lori Brown expressed her concern for residents who store items and how is staff going to decipher junk.

Commissioner Jay Spehar stated that he too has concerns but agreed that there was probably the need to have it. He stated that he felt that the role of the Commission is to ensure that this ordinance has the checks and balance to protect the people.

Chairman Don Ascoli stated that we have a clean ordinance right now, what is being proposed is something that will give the county additional authority.

Commissioner Jay Spehar stated that he would like staff to focus on health and safety and not with the aesthetics of somebody's property if they are in compliance with the underlying zoning. He also suggests a citizen panel to hear the hearings instead of a Hearing Officer.

Director, Bob Gould stated that they did not put this into the Zoning Ordinance because they would not be able to address issues in Young but maybe build in the exemption of 11-830.

Director, Bob Gould stated that the following concerns will be addressed to the Commission for the next meeting: health and safety, abandoned property, enough eyes on the process, cases (8) and how they are impacted by this, summary of cases by year (how many notices did we send out originally, how many go to notice of violation, and how many would go to abatement) feed back from the Health Department and address exemption of 11-830. Chairman Ascoli asked Staff to mail the Commissions next packet, possibly two weeks early and also asked that staff do complete a report that summarizes how if enacted this procedure would solve these cases.

After much discussion between the Commission, the Director and the Code Compliance Supervisor, motion was made by Commissioner Ron Christensen to table the Clean and Lien Ordinance and the Amendment to the Gila County Rules of Procedure to the September 18th, 2008 meeting, motion was seconded (inaudible), motion carried unanimously.

7. **Amendment to the Gila County Rules of Procedures**-tabled to September 18, 2008

8. **Arizona Water Department Report**-Report by Robert Gould, Director of Community Development, on the proposed rules for SB 1575 which was presented by the Arizona Water Department last month).

Robert Gould, Director of Community Development, stated that this information came out of the last Planning and Zoning meeting as requested. He stated that he will be attending a meeting with the Planning

Directors and this will be discussed. If adopted DWR would determine subdivision approval based on the adequacy of water.

Commission member Ron Christensen stated that he did not believe that it fit Gila County.

This item will be placed on next months agenda so that a motion/recommendation to the Board of Supervisors can be made.

9. **Small Subdivision**: Proposal to modify Subdivision Ordinance

Director of Community Development stated that he's given them a synopsis of three counties that have already adopted the small subdivision rule. Right now it takes approximately 1 yr and a lot of costs for the developer. State Law changed and allowed us to define a small subdivision. Most communities define a small subdivision as 15 to 20 lot subdivision and they either do an administrative process or a judicial process. This expedites it and throws out the preliminary process and staff would still get input from the utility companies, ADWR, ADEQ. This would be less expensive and quicker for the developer. He stated that he would like to come back to the Commission with a proposal that would waive the preliminary plat process for anything less than 20 lots and would like to have some density bonuses. He would like the process to include review from the Commission and the Board of Supervisors. He stated that they are allowed to change what the infrastructure requirements are and stated that he would model the ordinance with that of Cochise, Coconino and Mohave's ordinances, he

After some discussion, the sub-committee that reviewed updating of Zoning Ordinances agreed to get together and work on this proposed ordinance. Chairman Ascoli suggested that when ready to propose item to the Commission that it be placed on agenda with Information/Discussion only.

10. **Arizona County Enabling Statute Revisions**: Report by Robert Gould, Director of Community Development, regarding revision to the Arizona Revised Statutes.

Director Bob Gould stated that this is information only. He stated that all the Planning Directors have been working on this for several months now. The Directors are trying to break these out into three sections and modeling it after the municipal statutes and all they are trying to do is reorganize it. They are still looking for a sponsor for this bill.

11. Date & time for the next scheduled meeting

All agreed that the next meeting will be held in Globe.

12. **Adjourn**

Motion to adjourn made by Commission Member Mickie Nye, seconded by Vice-Chairperson Lori Brown, Motion unanimously carried and the meeting adjourned at 12:35 pm.

